
Regional Council Activity Report

May 12, 1998



As part of the enhancements to the Regional Council operation, our Regional Council meetings have a study session every other month. This past month we had the opportunity to discuss recent growth management initiatives. The discussion included David Baron, Assistant Director of the Arizona Center for Law in the Public Interest, who represented the Citizens for Growth Management, as well as Maria Baier, Executive Assistant for Environment in the Governor's Office, and Steven A. Betts, of the law firm of Gallagher & Kennedy, P.A., who spoke on behalf of Governor Jane Hull and Representative Robin Shaw's Growing Smarter initiative. Growth management is an important issue to all local governments, and the study session was an excellent forum for sharing our ideas.

In addition, thanks to the City of Glendale, their cable station KGLN-TV, and Stew Radawec and his camera crew, for videotaping this study session for other local council members, citizens and media. Feedback on our new endeavor was extremely positive. A copy of the video will be sent to every Regional Council member. If you would like to purchase your own copy of the video, please contact the MAG office at 254-6300.

Another serious issue concerns the Regional Transportation Administration (HB 2564 & SB 1209). For several weeks, we have been reporting on HB 2564 which removes the transportation decision-making authority from MAG for the sales tax-funded freeway program. HB 2564 passed the House and was heard by the Senate Finance Committee. Following that hearing, the Chairman of the Senate Finance Committee announced he was holding the bill.

Recently, the provisions of HB 2564 were included in a strike everything amendment to SB 1209. SB 1209 passed the House Transportation Committee and the full House. An amendment was passed which would have the Governor appoint the chairperson of the governing board of the RTA. Also, the State Transportation Board member from this area would serve on the RTA Board. In addition, the amendment would have the transportation plan approved by the State Transportation Board. It will be sent back to the Senate for concurrence in the House amendments. If the Senate does not

concur, the bill could then go to a conference committee or be held. The Regional Transportation Administration provisions could then be attached to another bill that is alive in the process. We encourage you to express your opposition to 1209 and we will keep you posted if it appears on another bill.



Regional Council Meeting Report April 29, 1998

Growth Management

As discussed in the Executive Director's Report, presentations were made by David Baron on the Citizens Growth Management Initiative, and by Maria Baier and Steven Betts on HB 2361, Growing Smarter. Speaking about the Citizens Growth Management Initiative, Mr. Baron explained that it was developed based on conversations with residents throughout the state, and intended to prevent dispersed, "sprawl" type development which has been found to be a resource consumptive, expensive, land use pattern. The Citizens Growth initiative needs to collect over 112,000 signatures by July to be considered by voters in November. If placed on the ballot, voters would be asked to approve a measure that would require jurisdictions with a population of more than 2,500 people to develop plans by the year 2001 that include urban growth areas no larger than necessary to accommodate 10 years worth of population growth. Outside the growth areas, increases in zoning (upzoning) could not be approved and services such as water and sewer could not be provided. Until voter approval of the growth management plan, a 4/5 vote would be required to approve new subdivisions or increase the density or intensity of allowable development. Developers will be required to pay the full cost of additional public facility needs.

Ms. Baier and Mr. Betts described House Bill 2361 as a "work in progress" that was intended to protect open space and add strength to the land use planning process. The bill would strengthen general plans by requiring general plans to be adopted or re-adopted every ten years and by adding open space, growth and transportation corridors, and environmental planning requirements to the general plan. It would require that rezonings be in substantial conformance with the general plan or amendments be approved by a 2/3 supermajority of the governing body. The right of citizens to refer amendments and rezonings to the voters is preserved. The initiative also requires the State Land Department to develop a comprehensive plan for property under its authority, and that the State Land Department consider

local plans in its process. Accompanying HB 2361 is House Concurrent Resolution 2027 that would refer to the voters the question of providing \$20 million statewide for ten years to match funds used for the purchase of State Land for conservation purposes.

Responses to questions from Regional Council members included:

Speaking for the Citizens for Growth Management Act, David Baron stated that jurisdictions will have to work to make sure voters will approve their plans, otherwise they will not be permitted to increase zoning density or intensity after the year 2001.

Mr. Baron responded that jurisdictions and the County will have to continue to cooperate regarding strip annexed areas and county islands.

Mr. Baron also stated that regional coordination is important, but not addressed in the initiative. Ms. Baier and Mr. Betts added that in HB 2361, it is an item for the 13 member Growing Smarter Commission appointed by the Governor and legislature.

Speaking for HB 2361, Ms. Baier and Mr. Betts stated that HB 2361 does not provide any guidance on how local jurisdictions would obtain funds necessary to match the money provided for the purchase of state land.

Ms. Baier and Mr. Betts explained that HB 2361 does not change the existing right of jurisdictions to impose fees to pay for infrastructure associated with new development, and cannot bind future legislatures to preserve that right. Mr. Baron added that the initiative makes it the “duty” of jurisdictions to develop formulas and require developers to pay fees to pay for new infrastructure required by new development.

All participants agreed that neither proposal directly addresses the need for affordable housing. Mr. Baron added that the framers of the Citizens Initiative point to Portland, which also has a growth boundary, and state that housing in that area is still considered “affordable.”

Mr. Baron stated that cities, towns and counties will need to continue to work together to address areas that are strip annexed or are county islands.

Ms. Baier and Mr. Betts explained that the State Land Department would continue to prevail over cities and towns with respect to land use on its property. Mr. Baron explained that under the citizen’s initiative, however, there would be no obligation to provide state land with services.

Mr. Baron, speaking for the Citizens for Growth Management Act, stated that farming, in other areas with a growth boundary, is still viable.

All participants agreed that the Citizens Initiative and HB 2361 are not solutions to all the issues associated with growth.

For more information, contact James M. Bourey, Executive Director, 254-6300.

Serious Area PM-10 Plan Most Stringent Measures

On October 29, 1997, the MAG Regional Council took action to direct staff to prepare a request for up to a five-year extension of the PM-10 attainment date, since it appeared that attainment by December 31, 2001 was impracticable. The extension request would be included in the Serious Area Particulate Plan for submittal following action by the Legislature. According to the Clean Air Act Amendments of 1990, the extension request is required to demonstrate that the PM-10 Plan includes the most stringent measures that are contained in any state plan, or are achieved in practice in any other state, and that are feasible in this area.

The fourteen measures identified for consideration which may be the most stringent in any state for PM-10 sources located in the Maricopa nonattainment area, include PM-10 Episode Thresholds, Ban on Solid Fuel Burning Devices in New & Modified Construction, Restaurant Charbroiler Controls, PM-10 Efficient Street Sweeping, Agricultural Soil Erosion Plans, and Cessation of High Wind Tillings. The Regional Council gave their approval of fourteen potential measures for consideration which may be the most stringent in any state for PM-10 sources located in the Maricopa nonattainment area and requested that the potential implementing entities consider them for implementation, if feasible.

For more information, contact Lindy Bauer, Environmental Manager, 254-6300.

Appointment of the Members of the Nominating Committee

Elaine M. Scruggs, Mayor of Glendale and Chair of the Regional Council, announced the appointments to the 1998-1999 Nominating Committee. Each April, the Chairman of the Regional Council appoints a five-member Nominating Committee from the Regional Council. The Nominating Committee is required to provide a balanced slate of officers which is forwarded to all of the Regional Council members at least two weeks prior to the annual meeting in June. The appointments to the Nominating Committee are:

Mayor Wayne Brown, Mesa, Chairman
Mayor Bill Arnold, Goodyear
Supervisor Jan Brewer, Maricopa County
Mayor Mark Schnepf, Queen Creek
Mayor Bill Kosanovich, Youngtown

For more information, contact James M. Bourey, Executive Director, 254-6300.



Upcoming Issues

Consumer Price Index

Arizona State University is considering ceasing their calculation of the Consumer Price Index (CPI). This affects MAG and local jurisdictions because of its use for various program and contractual funding calculations. The local CPI has run higher than the national figure for the last few years. We are evaluating options for the continuation of this important variable. We will keep you informed on the outcome of this effort.

For more information, contact Eric Anderson, MAG Freeway Program Manager, 470-1107

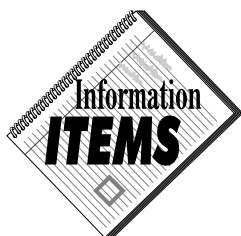
Material Change Policy for the MAG Regional Freeway Program

State law requires that MAG approve any material cost increases to the MAG Freeway Program. The 1997 Performance Audit for the MAG Freeway Program recommended that MAG and the Arizona Department of Transportation develop a definition of "material change." A draft material change policy has been developed and recommended for approval. This issue will be presented to the Management Committee and Regional Council in May, 1998. For more information, contact Eric Anderson, MAG Freeway Program Manager, 470-1107

Grand Avenue Corridor Study

The Grand Avenue Concept Study was undertaken to develop a system level consensus and design concept for the Grand Avenue Corridor. Three concepts were recommended for additional study. To be eligible for federal funds to address these options, a Major Investment Study (MIS) is needed. The final draft of the Grand Avenue Corridor Study is recommending that a MIS and environmental study be undertaken. This issue will be presented to the Management Committee and Regional Council in May, 1998.

For more information, contact Terry Johnson, Transportation Manager, 254-6300.



Information Items:

March Showcase Agency, Town of Fountain Hills

Mayor Jerold Miles spoke about the how proud he was of Fountain Hills, and the way it has grown. He emphasized that Fountain Hills is not a small far-away town, but a growing part of Maricopa County. Mayor Miles then

introduced Alan Cruikshank, who stated that from an original plan that estimated 78,000 people at build-out, the town's plan has been revised to add more open space and less density, with a current estimate of 30-35,000 people at build-out. The first people moved into Fountain Hills in January, 1972 and now the population of the town is approximately 17,000 people. Major employment, such as the Mayo Clinic, have contributed to the growth of the town with the world's highest daily fountain. A highlight of the cultural scene is the Fountain Hills Art Festival, which is ranked one of the top three shows in the United States. Fountain Hills was incorporated in December, 1989.

ISTEA Reauthorization

As previously reported, separate bills to reauthorize the Intermodal Surface Transportation Efficiency Act (ISTEA) have passed the House and Senate. The bills have now gone to a Conference Committee to work out the differences between them. Although Conferees have reached agreement on several policy issues, many major issues, including funding, still remain. How to pay for the reauthorization from an overall budgetary perspective continues to be controversial. The federal transportation funding authorized under the Short Term Extension Act came to an end on May 1, 1998. This means that no further funding of highway projects can occur until a final bill is passed. Members of Congress are highly unlikely to pass another stopgap bill, so there is continued pressure to pass a final bill.

For more information, contact John Farry, Transportation Planning Program Manager, 254-6300.

Certification Review

On April 8 and 9, 1998, the Maricopa Association of Governments underwent a review of the MAG planning certification. This certification is performed every three years by the United States Department of Transportation. The Federal Highways Administration (FHWA), Federal Transit Authority (FTA) and Federal Aviation Authority (FAA) all participated in this review. Feedback from the review was very positive and we are looking forward to getting the final report from USDOT. We were particularly complimented on our new format for the Unified Planning Work Program, which USDOT indicated they want to use as a model throughout the country.

For more information, contact James M. Bourey, Executive Director, or Dennis Smith, Assistant Director, 254-6300.

Desert Peaks Awards Judges Named

The panel of judges for the Desert Peaks Awards has been selected on the basis of their community leadership and, through their actions, a demonstration of an understanding of the concept of regionalism. The 1998 Desert Peaks Awards judges are:

George Dean, Greater Phoenix Urban League

Michael Grant, Gallagher & Kennedy

Rob Melnick, Morrison Institute

Jack Pfister, Arizona State University

Marty Shultz, Arizona Public Service

Ralph Velez, City of Tolleson

For more information, contact Rita Walton, Policy and Information Manager, 254-6300.



Upcoming Events

Valley Vision 2025 Citizens' Summit

The Citizens' Summit on our Future will be held at the Orpheum Theatre on Saturday, June 6, 1998 from 8:30 to noon. At this event, Valley residents will be asked to take part in creating the future of their region. Fun, unique and engaging activities are planned to inspire, encourage and motivate the public to get involved in Valley Vision 2025, a public/private partnership to determine a Vision for the next generation. A multimedia presentation will offer an insightful and comprehensive look at the changes this Valley has experienced, from past to present. Citizens attending the Summit will also participate in an electronic "visual preference" exercise, voting on major issues such as transportation, open space, the environment, education and public safety. For more information, contact Monique de los Rios, Region 2025 Vision Program Manager, 254-6300.

Desert Peaks Awards Dinner

The 1998 Desert Peaks Awards Dinner will be held at the Hyatt Regency, Phoenix, in conjunction with the Regional Council Annual Meeting on Wednesday, June 24, 1998. Invitations will be mailed out by May 18. Approximately sixty entries were submitted for this event. The awards focus on a commitment to the spirit of regionalism, and honor Regional Excellence, member agency Regional Partnership, Public-Private Partnership, and Distinguished Service.

For more information, contact Rita Walton, Policy and Information Manager, 254-6300.

Next Regional Council Meeting

The next Regional Council Meeting will be held on Wednesday, May 27, 1998. The main topics on the agenda are expected to include:

- ▼ A presentation by the May Showcase Agency, Paradise Valley
- ▼ Material Change Policy for the MAG Regional Freeway Program
- ▼ Proposed FY1999 Budget and Unified Planning Work Program

For more information, contact James M. Bourey, Executive Director, 254-6300.